

United States District Court

for the

Eastern District of New York

Request for Modifying the Conditions or Term of Supervision

with Consent of the Offender

(Probation Form 49, Waiver of Hearing is Attached)

FILED
IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.
★ MAR 21 2006 ★
BROOKLYN OFFICE

Name of Offender: **Anthony Shannon**

Case Number **CR-00-631**

Name of Sentencing Judicial Officer: **The Honorable Edward R. Korman, Chief U.S. District Judge**

Date of Original Sentence: **May 16, 2002.**

Original Offense: **18 USC 1029, Use of Unauthorized Access Device, a class C felony.**

Original Sentence: **One year and one day custody, three years supervised release**

Type of Supervision: **Supervised Release**

Date Supervision Commenced: **May 27, 2003**

PETITIONING THE COURT

☒ To modify the conditions of supervision as follows:

It is respectfully requested that the following special conditions be added:

"You shall perform 50 hours of community service as directed by the Probation Department."

CAUSE

On January 27, 2006, the supervising probation officer received information of the releasee's arrest on December 28, 2005, by the New York City Police Department. He was charged with Possession of a Forged Instrument in the 2nd Degree, a class D felony and four motor vehicle violations. On December 29, 2005, the releasee pled guilty to Disorderly Conduct and was ordered to pay a \$345 fine, which he paid on February 28, 2006. According to the arresting officer, P.O. John Costello, the releasee, who was driving a vehicle with Pennsylvania license plates, was pulled over following a routine traffic stop. The releasee provided the arresting officer a vehicle insurance identification card which was reportedly counterfeit. It was determined the releasee's driver license was also suspended.

The releasee failed to notify the supervising probation officer within 72 hours of his arrest. In addition, he did not indicate he was arrested on his Monthly Supervision Report form for December 2005, nor has he indicated on his Report forms he had access to the vehicle he was driving when arrested. Based on the above, we respectfully request that a sanction be imposed requiring the releasee to perform 50 hours of community service, which we believe addresses his non-compliant behavior.

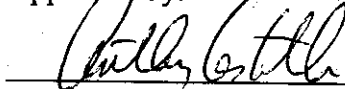
On March 9, 2006, the releasee signed a Waiver of Hearing to Modify the Conditions of Supervised Release and is attached herein.

Respectfully submitted by:



Lawrence Goldman
Senior U.S. Probation Officer
Date: March 15, 2006

Approved by:



Anthony Castellano
Supervising U.S. Probation Officer
Date: March 15, 2006

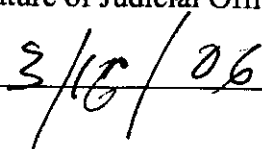
THE COURT ORDERS:

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other

s/Edward Korman

Signature of Judicial Officer

Date



United States District Court

EASTERN DISTRICT OF NEW YORK

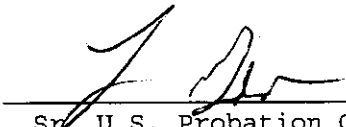
Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

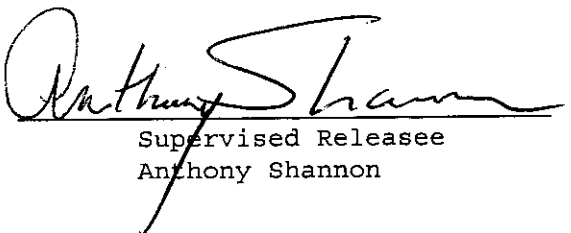
I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

"You shall perform 50 hours of community service as directed by the Probation Department."

Witness:


Sr. U.S. Probation Officer
Lawrence F. Goldman

Signed:


Supervised Releasee
Anthony Shannon

February 17, 2006

Date